

an Oklahoma congressional race in 1994. I later became a federal prosecutor and eventually served as the United States Attorney for the Western District of Oklahoma, first through appointment by Attorney General Janet Reno and then through nomination by President Clinton.

I have known Jerome Holmes for over ten years through our work together in the United States Attorney's Office and now in private practice. I believe his intellect, experience and character make him an excellent choice for a position on the appellate court. I saw these qualities firsthand as Jerome carried out his many responsibilities as a prosecutor. One of the most important duties he performed was that of the office's legal ethics and professional responsibility counselor. Jerome acted ably in this capacity during a time of heightened scrutiny for federal prosecutors following the passage of the Hyde Act and the McDade Amendment. Since both of you are former prosecutors, I trust that you can appreciate the degree of confidence in Jerome's abilities and integrity that were required in order to be given such an assignment by me and other United States Attorneys.

Jerome's nomination has apparently triggered concern from groups that have focused on his writings on affirmative action. In this regard, I can offer three observations. First, I have known Jerome to be open-minded and respectful of different views. More importantly, I know Jerome to be respectful of the role of the courts, as opposed to the role of the advocates, and I believe this understanding to be partly the result of his three years of service as a law clerk for federal appellate and district judges. Finally, as noted above, I know Jerome to be a person of unwavering integrity. Therefore, when Jerome states under oath that he will put his personal views aside and follow the law, I believe he will do just that.

I hope these observations are helpful as you consider Jerome's nomination, which I hope you will act upon favorably. I respectfully request that this letter be made part of the committee record regarding his nomination. If I can be further assistance or if you or your staff have any questions, please do not hesitate to contact me.

Sincerely,

DANIEL G. WEBBER, Jr.

OKLAHOMA CITY, OK,  
June 21, 2006.

Hon. ARLEN SPECTER,  
Chairman, Committee on the Judiciary,  
U.S. Senate, Washington, DC.

Hon. PATRICK J. LEAHY,  
Ranking Member, Committee on the Judiciary,  
U.S. Senate, Washington, DC.

DEAR SENATORS SPECTER AND LEAHY: I am writing in reference to the nomination of the Honorable Mr. Jerome A. Holmes, Esq.'s judicial appointment. I appreciate the concern that has been expressed about his nomination based upon his writings and positions on affirmative action. In all honesty I stand in a position that is contrary to the interpreted and most likely actual personal stance of Mr. Holmes, yet my relationship with him moved me to write and to express my support for him.

I have known Mr. Holmes for many years and believe that he does have a high regard for the views of those who maybe different from his own. That in and of itself is enough for me to believe that he would "hear" fairly. In addition, Mr. Holmes has displayed a level of integrity in all his dealings that I have been aware and has shown in our personal conversation willingness to listen and respect differing views. I trust Mr. Holmes and so in light of our differences I support his nomination.

I do realize the responsibility that is upon me as a Pastor, Community Leader and a concerned citizen. This is no light matter for me, indeed it is with much prayer and struggle that I searched out the right words to convey the right tone to reinforce my message. As a member of the NAACP, Urban League and many other organizations that fight for the rights of minorities, I am moved to ask your continued approval of this nomination.

Sincerely,

GEORGE E. YOUNG, Sr.,  
Pastor, Holy Temple Baptist Church.

OKLAHOMA COUNTY DISTRICT ONE,  
Oklahoma City, OK.

Re nomination of Jerome Holmes, 10th Circuit Court of Appeals.

Hon. ARLEN SPECTER, *Chairman*,  
Hon. PATRICK LEAHY, *Ranking Member*,  
U.S. Senate, Judiciary Committee,  
Washington, DC.

DEAR DISTINGUISHED SENATORS: It is truly an honor to offer this Letter of Recommendation for your consideration on behalf of Jerome Holmes, a nominee for the 10th Circuit Court of Appeals.

I have known Jerome Holmes for several years, both professionally and personally, as I am also a member of the Oklahoma Bar Association. I know him to be a person of Integrity and Character and I have always appreciated Mr. Holmes' fairness in our dealings. What's more, I have witnessed Mr. Holmes' efforts in our local community to improve the lives of those around us; all people regardless of where they live, what they look like or how much money they have. He has an altruistic spirit that makes him a standout in this world.

I serve Oklahoma County as one of three elected County Commissioners, am a proud Democrat and consider Jerome Holmes to be a principled leader who demonstrates mutual respect for all people. In particular, he is respectful of views that differ from his own and he enjoys tremendous bipartisan support and respect.

If I can provide any further information or perspective, please do not hesitate to contact me at your convenience.

Respectfully yours,

JIM ROTH,  
County Commissioner.

#### SAFE AND TIMELY PLACEMENT OF CHILDREN ACT

• Mr. ROCKEFELLER. Mr. President, I am delighted that the Safe and Timely Placement of Children Act was passed during the wrap-up session on Friday, June 23, 2006. I have worked with Senators DEWINE and DOMENICI on this issue for several years to help foster children to be placed with adoptive parents or family across State lines.

Currently it can take twice or three times as long for a child to be placed in a home, if that home happens to be in another State. This is sad, and it needs to be fixed.

The House bill, identical to our Senate legislation, will help fix this process and help these children. It provides a mix of incentives and timeframes for States to achieve the safe and timely placement of children between States.

This legislation was part of the WE CARE Kids Act, and it should help to deliver on the promises made in the Adoption and Safe Families Act of 1997 which stated that geographic barriers

should not delay or deny adoptions. When a child leaves foster care and goes out of State, half of the time the child is being adopted and gaining a permanent home. In about 20 percent of the cases, a child is being placed with a relative. These are good, permanent options for children, and it should not take twice as long to achieve such a placement.

In my view, this complements and builds upon actions by many States to update the 1960 Interstate Compact for the Placement of Children. The purpose of this legislation is to add specific timeframes and to provide Federal incentives to achieve the goal set in 1997 of reducing and eliminating geographic barriers.

As technology has vastly improved and more families seek to open their hearts and homes to children in foster care, we need improved regulations and policies to serve such families. This legislation is part of the DeWine-Rockefeller bill, called the We Care Kids Act. Thanks to the leadership of Chairman GRASSLEY, the major provisions of We Care Kids Act were included in the reconciliation package to invest in court training and data to help judges have insight and the information needed to care for the vulnerable children in foster care. But action could not be taken to improve interstate case planning within the reconciliation bill. In 2004, similar legislation passed the House of Representatives, and now it will finally become law. •

#### ADDITIONAL STATEMENTS

##### IN RECOGNITION OF LIEUTENANT COLONEL ROBERT J. RUCH

• Mr. CARPER. Mr. President, today I wish to honor LTC Robert J. Ruch, District Commander, Philadelphia District, U.S. Army Corps of Engineers on the occasion of his Change of Command Ceremony which will take place on Friday, July 10, 2006. At that time, Lieutenant Colonel Ruch will pass command of the Philadelphia District to LTC Gwen E. Baker after providing the State of Delaware and the region with 2 years of honorable and meritorious service in carrying out his duties.

As the 53rd Philadelphia District Engineer, LTC Robert J. Ruch has commanded a 500-person engineering organization since 2004 that provides national, economic, and environmental security in the heart of the Northeast Corridor. His responsibilities have included dredging waterways for navigation, protecting communities from flooding and coastal storms, responding to natural and declared disasters, regulating construction in the Nation's waters and wetlands, remediation of environmental hazards, restoring ecosystems, building facilities for the Army and Air Force, and providing engineering, contracting and project management services for other government agencies upon request.